

COMMISSION ON QUALITY OF CARE AND ADVOCACY FOR PERSONS WITH DISABILITIES

MISSION

The mission of the Commission on Quality of Care and Advocacy for Persons with Disabilities (CQCAPD) is to improve the quality of life for individuals with disabilities in New York State and to protect their rights and advocate for needed change by:

- Ensuring programmatic and fiscal accountability, and monitoring care and treatment of people with disabilities within the State's mental hygiene system, and making recommendations for improvements, when warranted;
- Providing individual and systemic investigative and advocacy services;
- Advancing the availability and use of assistive technology for persons with disabilities;
- Offering impartial and informed advice, training, and recommendations on a broad range of disability issues; and
- Promoting the inclusion of persons with disabilities in all aspects of community life and ensuring that persons with disabilities are afforded the opportunity to exercise the full range of rights and responsibilities accorded to all New Yorkers.

The Commission's Advisory Council has expanded its membership to include individuals with a broader range of disabilities to better fulfill its mission in advising the Governor and Legislature regarding all New Yorkers with disabilities.

ORGANIZATION AND STAFFING

The Commission comprises a full-time chairperson and two unsalaried members, each appointed by the Governor and confirmed by the Senate to serve staggered five-year terms. The responsibilities of the Commission are carried out through five major programmatic divisions/bureaus:

- The Division of Adult Quality Assurance and Investigation;
- The Division of Children's Quality Assurance and Investigation;
- The Fiscal Investigations Bureau;
- The Division of Protection and Advocacy Program Administration; and
- The Division of Advocacy and Outreach for Persons with Physical Disabilities.

BUDGET HIGHLIGHTS

The Executive Budget recommends **\$18.1 million** All Funds for the Commission on Quality of Care and Advocacy for Persons with Disabilities (CQCAPD). This is a decrease of **\$0.5 million (-10.0 percent)** General Fund from 2010-11. The Executive Budget reduces each agency's General Fund State Operations budget by 10 percent. These savings are intended to be achieved through administrative efficiencies in non-personal service and negotiated workforce savings that minimize layoffs to the extent possible.

In addition to 10 percent reductions in the cost of State Operations, the budget recommends:

- **Surrogate Decision-Making Committee Reductions:** Program funding will be aligned with caseload expectations, and certain cases will be completed using State staff to reduce costs, as these cases are currently passed on to contractors for the administration of the hearings.

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PROGRAM HIGHLIGHTS

OVERSIGHT OF SERVICE DELIVERY IN THE MENTAL HYGIENE AREA

The Commission provides independent oversight and review of State and voluntary programs serving individuals with mental illness, developmental disabilities, and chemical dependence. Most importantly, it investigates allegations of abuse or mistreatment of individuals served in facilities operated or licensed by these agencies. The Commission also monitors the quality of mental health services in the State prison system. The Commission receives and screens approximately 16,000 reports of abuse, neglect, or death and conducts reviews or investigations on over 1,000 cases annually. The Commission also investigates allegations of fiscal fraud, waste, and abuse relating to the provision of services in the mental hygiene system.

PROTECTION AND ADVOCACY

Through a combination of staff resources and contracts with non-profit agencies, the Commission provides statewide protection and advocacy services for individuals with disabilities through the following federal programs: Protection and Advocacy for the Developmentally Disabled; Client Assistance; Protection and Advocacy for Individuals with Mental Illness; Protection and Advocacy of Individual Rights; Protection and Advocacy for Beneficiaries of Social Security; Protection and Advocacy for Assistive Technology; Protection and Advocacy for Traumatic Brain Injury; and Protection and Advocacy for Voting Access. These programs assist the Commission in strengthening the non-profit contract network by providing individuals with severe disabilities with Federally-mandated protection and advocacy services. Every year, more than 40,000 individuals with disabilities are served through the Commission's protection and advocacy programs.

SURROGATE DECISION MAKING COMMITTEE

The Surrogate Decision Making Committee (SDMC) program reviews recommendations for medical services on behalf of individuals receiving mental hygiene residential services who have neither a legal guardian nor the ability to make decisions for themselves. Teams selected from a pool of 1,600 volunteer medical, legal, and health care professionals, and advocates work via local dispute resolution centers located throughout the State to represent these individuals. More than 900 SDMC cases are resolved, and over 100 volunteers and 400 providers are trained annually.

TECHNOLOGY SERVICES TO PERSONS WITH DISABILITIES

The Commission's federally funded Technology-Related Assistance for Individuals with Disabilities (TRAID) Project supports a statewide system that helps New Yorkers with disabilities access technology devices and services to facilitate their full integration into the mainstream workplace and community. This program is coordinated through an

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Interagency Partnership on Assistive Technology and 12 Regional TRAIID Centers at 15 sites. During 2010 the TRAIID program made over 11,000 loans of adaptive equipment and saved over \$1 million through recycling of assistive technology services.

The Commission's Disability and Business Technical Assistance Center grant funding will continue to be used to provide comprehensive education, public awareness, and technical assistance programs that promote increased voluntary compliance with the Americans with Disabilities Act (ADA).

ADULT HOMES

The Commission contracts with local non-profit organizations to provide advocacy services to protect the rights of residents of adult homes who have been consumers in the mental hygiene system. The Commission's dedicated team will continue to work collaboratively with the Department of Health (DOH) and the Office of Mental Health (OMH) to conduct programmatic and fiscal investigations into the quality of care provided to individuals living in adult homes. The Commission's efforts have been expanded to assist in the implementation of new State initiatives already underway to improve the quality of life and safety of adult home residents. Last year, Commission staff conducted 30 comprehensive reviews and investigations of complaints in adult homes serving over 1,500 people.

STATEWIDE CLEARINGHOUSE

The Commission operates a statewide clearinghouse through which individuals can access information and obtain referrals to a variety of disability-related services. The system features a 24-hour statewide telephone hotline (1-800-642-4143) and a dynamic full-featured Web site (www.cqcapd.state.ny.us), which has attracted more than 1 million visitors.

ADVOCACY AND OUTREACH

As required by statute, the Division of Advocacy and Outreach coordinates the Commission's efforts to provide information, support, and technical assistance to empower people with disabilities, family members, advocates, local government officials, and others to identify and undertake the actions necessary to support people with disabilities in becoming fully participating members of their chosen communities. The main focus of this Division is improving inclusion, accommodations, and accessibility for individuals with disabilities. Recently, the Commission partnered with the State Board of Elections to conduct trainings statewide for local election officials to improve accessibility of the voting process.

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ALL FUNDS APPROPRIATIONS (dollars)

Category	Available 2010-11	Appropriations Recommended 2011-12	Change	Reappropriations Recommended 2011-12
State Operations	18,041,000	17,497,000	(544,000)	13,016,000
Aid To Localities	648,000	648,000	0	0
Capital Projects	0	0	0	0
Total	<u>18,689,000</u>	<u>18,145,000</u>	<u>(544,000)</u>	<u>13,016,000</u>

ALL FUND TYPES PROJECTED LEVELS OF EMPLOYMENT BY PROGRAM FILLED ANNUAL SALARIED POSITIONS

Program	Full-Time Equivalent Positions (FTE)		
	2010-11 Estimated FTEs 03/31/11	2011-12 Estimated FTEs 03/31/12	FTE Change
	Program Oversight		
General Fund	33	33	0
Special Revenue Funds - Other	35	35	0
Protection and Advocacy			
Special Revenue Funds - Federal	23	23	0
Total	<u>91</u>	<u>91</u>	<u>0</u>

The above table does not reflect layoffs that may be necessary in the absence of negotiated workforce savings.

STATE OPERATIONS ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE APPROPRIATIONS (dollars)

Fund Type	Available 2010-11	Recommended 2011-12	Change
General Fund	5,466,000	4,922,000	(544,000)
Special Revenue Funds - Federal	8,345,000	8,345,000	0
Special Revenue Funds - Other	4,185,000	4,185,000	0
Enterprise Funds	45,000	45,000	0
Total	<u>18,041,000</u>	<u>17,497,000</u>	<u>(544,000)</u>

STATE OPERATIONS ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM APPROPRIATIONS (dollars)

Program	Available 2010-11	Recommended 2011-12	Change
Program Oversight			
General Fund	5,466,000	4,922,000	(544,000)
Special Revenue Funds - Federal	300,000	300,000	0
Special Revenue Funds - Other	4,185,000	4,185,000	0
Enterprise Funds	45,000	45,000	0
Protection and Advocacy			
Special Revenue Funds - Federal	8,045,000	8,045,000	0
Total	<u>18,041,000</u>	<u>17,497,000</u>	<u>(544,000)</u>

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STATE OPERATIONS - GENERAL FUND SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES 2011-12 RECOMMENDED (dollars)

Program	Total		Personal Service Regular (Annual Salaried)	
	Amount	Change	Amount	Change
Program Oversight	3,736,000	(414,000)	3,720,000	(413,000)
Total	<u>3,736,000</u>	<u>(414,000)</u>	<u>3,720,000</u>	<u>(413,000)</u>

Program	Holiday/Overtime Pay (Annual Salaried)	
	Amount	Change
Program Oversight	16,000	(1,000)
Total	<u>16,000</u>	<u>(1,000)</u>

STATE OPERATIONS - GENERAL FUND SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED APPROPRIATIONS AND CHANGES 2011-12 RECOMMENDED (dollars)

Program	Total		Supplies and Materials	
	Amount	Change	Amount	Change
Program Oversight	1,186,000	(130,000)	40,000	(4,000)
Total	<u>1,186,000</u>	<u>(130,000)</u>	<u>40,000</u>	<u>(4,000)</u>

Program	Travel		Contractual Services	
	Amount	Change	Amount	Change
Program Oversight	177,000	(19,000)	839,000	(93,000)
Total	<u>177,000</u>	<u>(19,000)</u>	<u>839,000</u>	<u>(93,000)</u>

Program	Equipment	
	Amount	Change
Program Oversight	130,000	(14,000)
Total	<u>130,000</u>	<u>(14,000)</u>

STATE OPERATIONS - OTHER THAN GENERAL FUND SUMMARY OF APPROPRIATIONS AND CHANGES 2011-12 RECOMMENDED (dollars)

Program	Total		Personal Service	
	Amount	Change	Amount	Change
Program Oversight	4,530,000	0	2,454,000	1,000
Protection and Advocacy	8,045,000	0	1,679,000	103,000
Total	<u>12,575,000</u>	<u>0</u>	<u>4,133,000</u>	<u>104,000</u>

Program	Nonpersonal Service		Maintenance Undistributed	
	Amount	Change	Amount	Change
Program Oversight	1,776,000	(1,000)	300,000	0
Protection and Advocacy	6,366,000	(103,000)	0	0
Total	<u>8,142,000</u>	<u>(104,000)</u>	<u>300,000</u>	<u>0</u>

AID TO LOCALITIES ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE APPROPRIATIONS (dollars)

Fund Type	Available 2010-11	Recommended 2011-12	Change
General Fund	170,000	170,000	0
Special Revenue Funds - Other	478,000	478,000	0
Total	<u>648,000</u>	<u>648,000</u>	<u>0</u>

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AID TO LOCALITIES ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM APPROPRIATIONS (dollars)

<u>Program</u>	<u>Available 2010-11</u>	<u>Recommended 2011-12</u>	<u>Change</u>
Community Support			
General Fund	170,000	170,000	0
Special Revenue Funds - Other	478,000	478,000	0
Total	<u>648,000</u>	<u>648,000</u>	<u>0</u>